

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-21 are pending in this application. Claims 1, 8, 12 and 19-21 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

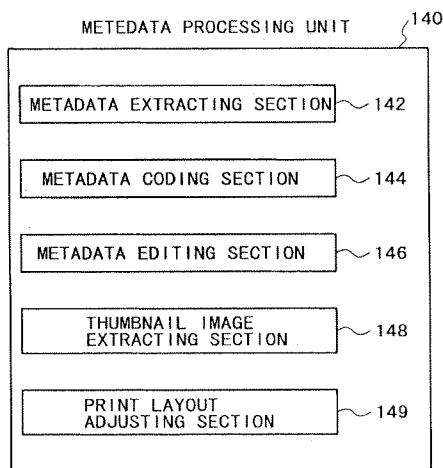
### **II. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraphs [0111]-[0112] and Fig. 5 of Applicant's corresponding published application. By way of example and not limitation:

[0111] **The metadata extracting section 142**, configured as an extracting section associated with the present embodiment, searches for, reads, and **extracts the metadata recorded to the optical disk 60, automatically** or in response to user instruction.

[0112] To be more specific, when the optical disk 60 is loaded on the recording/reproducing apparatus 100 for example, the metadata extracting section 142 starts the recording/reproducing unit 120 to **automatically search the storage area in the optical disk 60 for metadata and their storage locations**. Also, the metadata extracting section 142 can read the detected metadata partially or entirely.

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### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3, 4, 7, 8, 10-12, 14, 15, 18 and 21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,833,865 to Fuller et al. (hereinafter, merely “Fuller”) in view of U.S. Patent No. 6,476,817 to Harper et al. (hereinafter, merely “Harper”).

Claims 2, 5, 6, 9, 13, 16 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Fuller in view of Harper and further in view of U.S. Patent No. 5,745,102 to Bloch et al. (hereinafter, merely “Bloch”).

Claims 19 and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Fuller in view of Harper and further in view of Bloch and U.S. Patent No. 6,873,435 to Tehranchi et al. (hereinafter, merely “Tehranchi”).

Claim 1 recites, *inter alia*:

...wherein when performing automatic extraction, the extracting section **automatically searches storage area and storage location for the metadata in the storage medium in response to loading the storage medium...** (Emphasis added)

Applicant submits that neither Fuller nor Harper, taken alone or in combination, that would disclose or render predictable the above-identified features of claim 1. Specifically, neither of the references used as a basis for rejection discloses or renders predictable “when performing automatic extraction, the extracting section **automatically searches storage area and storage location for the metadata in the storage medium in response to loading the storage medium,**” as recited in claim 1.

Specifically, the Office Action (see page 3) asserts that Fuller discloses performing automatic extraction in response to loading the storage medium, and refers to col.4, lines 24-35, which are reproduced as follows:

*Fuller, col.4, lines 24-35:*

In one aspect of the present invention, there is an integrated data and real-time metadata capture system, comprising a digital capture device producing a digital representation of one or more forms of media content; a feature extraction engine integrated with the digital capture device, the feature extraction engine having a plurality of feature extractors to **automatically extract metadata in real-time from the digital content simultaneously with the capture of the content; and a storage device capable of storing the media content and the metadata**, wherein selected portions of the metadata are associated with selected portions of the media content.

Applicant submits that Fuller discloses that the feature extractors automatically extract metadata in real-time from the digital content **simultaneously with the capture of the**

**content; and then the extracted metadata is stored in a storage device.** However, nothing has been found in Fuller that teaches automatically extracting metadata simultaneously with the loading of the storage device. Thus, Fuller fails to disclose or render predictable “when performing automatic extraction, the extracting section **automatically searches storage area and storage location for the metadata in the storage medium in response to loading the storage medium,**” as recited in claim 1.

Furthermore, this deficiency of Fuller is not cured by the supplemental teaching of Harper.

Therefore, Applicant submits that independent claim 1 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 8, 12 and 19-21 are also patentable, and Applicant thus respectfully requests reconsideration of the rejections thereto.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicant thereby respectfully requests reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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